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FILED
CLERK, U.S. DISTRICT COURT
2004 NOV 10 P 4:07
BY: E. J. J. J. J.
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ANDERSON & KARRENBURG
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Attorneys for Defendant Novell, Inc.

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

THE SCO GROUP, INC., a Delaware
corporation,

Plaintiff,

vs.

NOVELL, INC., a Delaware corporation,

Defendant.

**NOTICE OF FILING OF ORIGINAL
DECLARATION**

Case No. 2:04CV00139

Judge Dale A. Kimball

On November 8, 2004, Defendant Novell, Inc. ("Novell") filed the Declaration of Kellie Carlton in Support of Novell, Inc.'s Motion to Dismiss ("Carlton Declaration"), which contained a faxed copy of the signature page. Local counsel for Novell has now received the original

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Carlton Declaration and, therefore, provides the original to the Court by way of the attached exhibit.

DATED: November 10, 2004.

ANDERSON & KARRENBURG

A handwritten signature in cursive script, appearing to read "Heather M. Sneddon", is written over a horizontal line.

Thomas R. Karrenberg

John P. Mullen

Heather M. Sneddon

Attorneys for Defendant Novell, Inc.

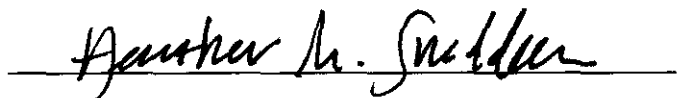
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of November, 2004, I caused a true and correct copy of the foregoing **NOTICE OF FILING OF ORIGINAL DECLARATION** to be served via first class mail, postage prepaid, to the following:

Brent O. Hatch
Mark F. James
Mark R. Clements
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10 West Broadway, Suite 400
Salt Lake City, Utah 84101

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Miami, Florida 33131

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333 Main Street
Armonk, New York 10504

A handwritten signature in black ink, reading "Heather M. Snelten", is written over a horizontal line.

FILED
CLERK, U.S. DISTRICT COURT
2004 NOV 10 P 4:08
DIST. OF UTAH
BY: _____
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THE SCO GROUP, INC., a Delaware
corporation,

Plaintiff,

vs.

NOVELL, INC., a Delaware corporation,

Defendant.

**DECLARATION OF KELLIE
CARLTON IN SUPPORT OF
NOVELL, INC.'S MOTION TO
DISMISS**

Case No. 2:04CV00139

Judge Dale A. Kimball

Kellie Carlton, under penalty of perjury, declares the following:

1. I am responsible for maintaining the records of the meeting minutes of Novell's Board of Directors. I submit this declaration in support of Novell's Motion to Dismiss. The statements made herein are based on my personal knowledge and investigation.

2. Attached as Exhibit A is a true and correct copy of the September 18, 1995 Minutes of the Meeting of the Board of Directors of Novell, Inc. A blue box has been added on page 2 to identify the text referenced in Novell's motion papers.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 5 day of November, 2004 in Provo, Utah.


Kellie Carlton